

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendraye
Marshall Johnson
Ken Nickolai
Thomas Pugh
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Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of CenterPoint Energy's
Implementation of the Cold Weather Rule and
Reconnection Policies

ISSUE DATE: November 10, 2005

DOCKET NO. G-008/CI-04-2001

ORDER ADOPTING AND IMPLEMENTING
AGREEMENT AND MODIFYING
REPORTING REQUIREMENT

PROCEDURAL HISTORY

On September 26, 2005, the Commission issued an ORDER REFERRING ISSUES TO THE OFFICE OF ADMINISTRATIVE HEARINGS AND ISSUING NOTICE AND ORDER FOR HEARING. In its Order, the Commission clarified that it was referring the following issues for a contested case proceeding:

1. Did Center Point Energy (CPE or the Company) violate the Cold Weather Rule (CWR)?
2. If CPE violated the CWR, did it do so knowingly and intentionally?
3. If CPE violated the CWR knowingly and intentionally, what penalties/remedies are warranted?

The Commission stated that all other aspects of this matter, including monitoring the Company's preparation for and performance during the 2005-2006 Cold Weather Season, remain under the Commission's direct supervision.

On October 12, 2005, the Office of the Attorney General (OAG) filed a letter describing its recent joint reconnection efforts with CPE and an agreement between the OAG and CPE relating to reconnection procedures (the parties' agreement).¹

The Commission met on October 13, 2005 to consider the October 12, 2005 filing and other issues related to the Company's preparation for and performance during the 2005-2006 Cold Weather Season.

FINDINGS AND CONCLUSIONS

I. Weekly Reports

In its August 25, 2005 Order, the Commission required CPE to make weekly reports, starting September 1, 2005, of the number of residential heating accounts in disconnect status and the number reconnected in the prior week. It also required daily reports, from October 1 through October 14, of the number of residential heating accounts disconnected in the preceding twenty four hours. The Company has submitted the required weekly reports.

II. Agreed Upon Reconnection Process

On September 25, 2005, the Attorney General and CPE issued a press release announcing that they have established a process to get thousands of CPE customers reconnected before the upcoming winter months.

The press release indicated that the OAG would be sending a letter to all CPE's disconnected customers, informing customers that under the CWR, customers have the right to negotiate a mutually acceptable payment arrangement with CPE. The letter asks customers to call the Attorney General's Office, which will connect customers directly with CPE to negotiate a payment schedule. The letter also informs customers that if a reconnection agreement cannot be reached with CPE, arrangements have been made by CPE and the OAG's Office so that the matter can be promptly mediated at no cost to the customer.

On October 12, 2005, CPE and the OAG submitted an agreement corresponding to various provisions of the Commission's January 12, 2005 Order regarding a process to achieve reconnections.

¹ An attachment to the agreement between CPE and the OAG, a revised customer service representative script, was inadvertently omitted from the October 12, 2005 filing. At the October 13, 2005 hearing on this matter, the parties affirmed that the revised script was part of their agreement. The revised script was introduced into the record and considered by the Commission at the October 13, 2005 meeting as part of the parties' agreement. Accordingly, when this Order refers to "the parties' agreement," it refers to the agreement as the parties intended it, i.e., including the revised script.

III. Commission Action

The parties' agreement regarding the reconnection process includes a flowchart entitled "Blueprint for Mediation Process" and a revised script to be used by CPE's customer service representatives regarding Cold Weather Rule reconnection. See Attachment A. The Commission finds that the parties' agreement is reasonable. The parties' agreement replaces corresponding provisions of the Commission's January 12, 2005 Order in this matter, including the script required to be used by the Company's customer service representatives.

In addition, at the Company's request, the Commission will alter the Company's reporting requirements in the following respect: instead of reporting daily whether a customer account has been locked and if so how many, the Company will report only on days when a customer account has been locked and if so how many. The Commission finds that this change does not reduce its receipt of useful and timely information regarding ratepayer disconnection.

ORDER

1. The Commission adopts and directs implementation of the agreement between CenterPoint Energy (CPE or the Company) and the Office of the Attorney General (OAG). See Attachment A. The agreement includes a flow chart for the mediation process and a new customer service representative script. CPE shall abide by the agreement, use the revised script, and follow the flow chart pending further order of the Commission.
2. The Company's reporting requirements imposed in the Commission's August 11, 2005 Order in this matter are altered in the following respect: instead of reporting daily whether a customer account has been locked and if so how many, the Company will report only on days when a customer account has been locked and if so how many.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

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